

ASSEMBLY BILL

No. 470

Introduced by Assembly Member Yee

February 16, 2005

An act to add Section 7576.4 to the Government Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

AB 470, as introduced, Yee. Mental health assessment and services for children.

Existing law requires school districts, county offices of education, and special education local plan areas to comply with state laws that conform to the federal Individuals with Disabilities Education Act, in order that the state may qualify for federal funds available for the education of individuals with exceptional needs. Existing law requires these local agencies to identify, locate, and assess individuals with exceptional needs and to provide those pupils with free appropriate public education in the least restrictive environment, with special education and related services as reflected in an individualized education program. The law authorizes a local educational agency to refer a pupil suspected of needing mental health services to a community mental health service.

Existing law, the Mental Health Services Act (hereafter, the act) establishes the Mental Health Oversight and Accountability Commission, and imposes a tax of 1% on incomes above \$1,000,000 for the purpose of financing new or expanded mental health services. The act, an initiative measure (Proposition 63 approved by the voter November 2, 2004), prohibits a decrease in other funding levels for pre-existing mental health programs below the 2002-03 fiscal year levels, and prohibits a change in the structure of financing mental

health services which increases the county's share of costs or risk unless full compensation is provided.

This bill would require county mental health agencies to provide a mental health assessment and all necessary mental health services for children whose families are recipients of prescribed general assistance benefits, or who are ward or dependent children of the court. By adding these responsibilities to be performed by the county mental health agency, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7576.4 is added to the Government
2 Code, to read:

3 7576.4. County mental health agencies shall provide a mental
4 health assessment and all necessary mental health services
5 pursuant to the model developed under the Children's Mental
6 Health Services Act (Part 4 (commencing with Section 5850) of
7 Division 5 of the Welfare and Institutions Code) for all of the
8 following:

9 (a) Children whose families are recipients of benefits under
10 the California Work Opportunity and Responsibility to Kids
11 program.

12 (b) Children whose families are recipients of benefits under
13 the Supplemental Security Income/State Supplementary program.

14 (c) Children who are wards of the court or dependent children
15 of the court as set forth pursuant to Sections 4095 and 4096 of
16 the Welfare and Institutions Code.

17 SEC. 2. If the Commission on State Mandates determines that
18 this act contains costs mandated by the state, reimbursement to
19 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

O